

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ARCH ENERGY, L.C.,

Plaintiff,

vs.

CITY OF BRENTWOOD,

Defendant.

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Case No. 4:22-cv-00499-MTS

**MEMORANDUM AND ORDER OF REMAND**

Plaintiff Arch Energy, L.C. filed a Motion to Remand this case on October 13, 2022, Doc. [29], after it declined to include claims within its Second Amended Complaint that arose under the Constitution and laws of the United States, see Doc. [28]. Defendant has not raised any opposition to the Motion to Remand, and the time in which it could do so has passed. *See* E.D. Mo. L.R. 4.01(B). The Court finds that while it may retain supplemental jurisdiction over Plaintiff's state law claims, the so-called *Gibbs* factors heavily weigh against exercising supplemental jurisdiction here. *See, e.g., Aldridge v. Hoskin*, 1:19-cv-00075-JAR, 2020 WL 6313736, at \*2 (E.D. Mo. Oct. 28, 2020); *Barondes v. Wolfe*, 184 F. Supp. 3d 741, 744 (W.D. Mo. 2016). The Court therefore declines to exercise supplemental jurisdiction over the remaining claims. 28 U.S.C. § 1367(c).

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's unopposed Motion to Remand, Doc. [29], is **GRANTED**, and this case is **REMANDED** to the Circuit Court of St. Louis County.

Dated this 8th day of November, 2022.



MATTHEW T. SCHELP  
UNITED STATES DISTRICT JUDGE